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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/628,368	07/29/2003	Praba Kharan Baptist	2993-479US RM/JR/mp	5159
32292	7590	02/11/2005	EXAMINER	
OGILVY RENAULT (PWC) 1981 MCGILL COLLEGE AVENUE SUITE 1600 MONTREAL, QC H3A 2Y3 CANADA			SUKMAN, GABRIEL S	
			ART UNIT	PAPER NUMBER
			3641	
DATE MAILED: 02/11/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/628,368

Applicant(s)

BAPTIST ET AL.

Examiner

Gabriel S. Sukman

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 July 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22, 24 and 25 is/are rejected.
- 7) ☒ Claim(s) 23 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 July 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 7/29/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: 35 and 37, in paragraph [0021] of the specification. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6, 8-20, 22, 24, and 25 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 2,435,990 to Weiler.

The deicing system of Weiler teaches all of the limitations of claims 1 and 13. The device of Weiler utilizes pressurized lubricating oil (used to lubricate bearings, 15, 33, and 34) to heat the components of the engine inlet including the inlet grille as well as the outer nacelle lip, as seen in figure 1 and in detail in figures 2 and 3. The inlet lip of Weiler defines a leading edge of the nacelle and has a conduit therein (headers 56 and 57) that is in fluid flow communication with the pressurized oil system (via conduit 53, which feeds the pressurized oil from the pump, 50, and distributor, 52) and defines an oil passage for circulation therethrough, as is clearly seen in the figures. The conduit is formed by the material forming the outer surface of the lip and is thus clearly in heat transfer communication with the outer surface.

Claims 2 and 14 are clearly anticipated by Weiler since the conduit (headers 56 and 57) is clearly annular.

Claims 3 and 15 are clearly anticipated by Weiler since the headers, 56 and 57, are each tubes that are fixed within the inlet lip.

Claims 4, 5, 16, 17, and 19 are anticipated by Weiler as well since the tube (56 and 57) is integral with the lip. These claims being product claims as opposed to process claims, the fact that the conduit is integral with the inlet lip is sufficient to anticipate that the conduit is "cast therewithin".

Claims 6 and 20 are anticipated by Weiler as well since the wall (the unreferenced liner through which the conduits 53 and 60 pass oil through) is an inner liner that is fixed to an inner surface of the inlet lip and defines an oil passage between itself and the inner surface of the inlet lip.

Claims 8 and 22 are anticipated by Weiler since the wall, as defined above with reference to claims 6 and 20, is a structural support as well.

Claims 9 and 18 are anticipated by Weiler since Weiler teaches two annular conduits, 56 and 57.

Claim 10 is anticipated by Weiler since the headers, 56 and 57 are integrally formed within the inlet lip.

Claim 11 is anticipated by the control system of Weiler made up of the pump, 50, distributing system, 52, and thermostat, 65.

Claims 12 and 24 are clearly anticipated.

The method of claim 25 is clearly anticipated by the disclosure of Weiler, as per the discussion above regarding claims 1 and 13.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weiler.

Weiler discloses all of the limitations of claims 7 and 21, as discussed above, but does not explicitly teach that the liner and lip are made of sheet metal. But sheet metal is an old and very well known material that is commonly used in forming aircraft

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components and specifically for forming the inlet lip and associated elements. It therefore would have been obvious to one having ordinary skill in the art to form the inner liner and inlet lip of the device of Weiler out of sheet metal since it is an old well known material in the art and is commonly utilized for its high strength to weight properties as well as its relative inexpensiveness and availability.

Allowable Subject Matter

Claim 23 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 6,079,670 to Porte

U.S. Patent No. 4,831,819 to Norris et al.

U.S. Patent No. 2,663,993 to Mosser

U.S. Patent No. 2,581,760 to Harpoothian et al.

U.S. Patent No. 2,474,258 to Kroon

U.S. Patent Application Publication No. US 2001/0003897 A1 to Porte et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gabriel S. Sukman whose telephone number is (703) 308-8508. The examiner can normally be reached on M-F, 8:30-6:00, every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael J. Carone can be reached on (703) 306-4198. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

gss



MICHAEL J. CARONE
SUPERVISORY PATENT EXAMINER